



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yasuhiro YOSHIOKA

Group Art Unit: 1752

Application No.: 10/622,668

Examiner: Thorl Chea

Filed: July 21, 2003

For: PHOTOTHERMOGRAPHIC MATERIAL

DECLARATION UNDER 37 C.F.R. §1.132

Honorable Commissioner of Patents and Trademarks

P.O. Box 1450, Alexandria, Virginia 22313-1450

Sir:

I, Yasuhiro YOSHIOKA, do declare and state as follows:

I received a Master's Degree in Chemistry from the Graduate School of The University of Tokyo in March 1980;

I joined Fuji Photo Film Co., Ltd. (now FUJIFILM Corporation) in April 1980, and was engaged in the research of state analysis and reaction analysis of organic materials for silver halide photography from April 1980 to 1989, and in the research of raw materials for silver halide color photographic photosensitive materials and in the research and development of designing of silver

halide color photographic photosensitive materials from 1990 to 1998, and have been engaged in the research of raw materials for silver halide photothermographic photosensitive materials and in the research and the development of designing of silver halide photothermographic photosensitive materials from 1999 to present; and

I am familiar with the Office Action of May 2, 2007, and understand that the Examiner has rejected Claims 1, 3, 5, 7, 9, 11, and 13 to 17 under 35 U.S.C. §103(a) as being unpatentable over European Patent No. 1096310 (hereinafter abbreviated as "EP'310") and Oya et al. (U.S. Patent Application No. 2001/0051319 A1).

The following additional comparative experiment was carried out under my supervision in order to make the advantages of the subject matter disclosed and claimed in the above-identified application more clear.

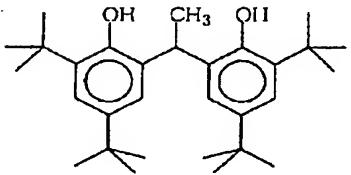
Experiment:

Samples 021 to 038 were prepared in the same manner as the Sample 008 of Example 1 shown in the specification of the present application, except that the species of the two reducing agents used in the Sample 008 and coating amounts thereof were changed to those shown in the

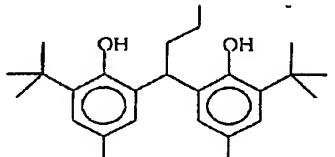
following Table A. The thus prepared Samples 021 to 038 were subjected to thermal developing treatment and evaluated in terms of tone and tone stability in the same manner as for Example 1 shown in the specification of the present application.

It should be remarked that the reducing agent I-6 shown in EP'310 is within the scope of the reducing agent of the formula (R1) of the invention, and the reducing agents I-4, I-9, and I-13 shown in EP'310 are within the scope of the reducing agent of the formula (R2) of the invention.

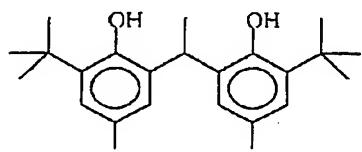
The results are shown in Table A.



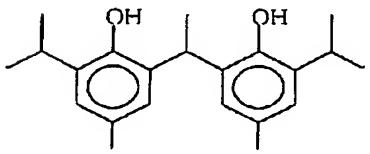
I-6 (corresponding to R1-22 shown in the present application)



I-4 (corresponding to R2-4 shown in the present application)



I-9 (corresponding to R2-2 shown in the present application)



I-13

Table A

Sample No.	Reducing agent of formula R1		Reducing agent of formula R2		Difference in Developing activity* of R1 and R2 (R2-R1)	Standard development	Tone	Tone stability	Organoleptic evaluation	Remark
	Species	Coating amount	Species	Coating amount						
021	I-6	95%	I-4	5%	0.15	◎	○	○	○	The Invention
022	I-6	90%	I-4	10%	0.15	◎	○	○	○	The Invention
023	I-6	70%	I-4	30%	0.15	○	○	○	○	The Invention
024	I-6	60%	I-4	40%	0.15	△	△	○	○	The Invention
025	I-6	50%	I-4	50%	0.15	×	×	×	×	The Invention
026	I-6	40%	I-4	60%	0.15	×	×	×	×	Comparative
027	I-6	95%	I-9	5%	0.18	◎	○	○	○	Comparative
028	I-6	90%	I-9	10%	0.18	◎	○	○	○	The Invention
029	I-6	70%	I-9	30%	0.18	○	○	○	○	The Invention
030	I-6	60%	I-9	40%	0.18	△	○	○	○	The Invention
031	I-6	50%	I-9	50%	0.18	×	×	×	○	The Invention
032	I-6	40%	I-9	60%	0.18	×	×	×	×	Comparative
033	I-6	95%	I-13	5%	0.07	○	△ (Purple)	○	○	Comparative
034	I-6	90%	I-13	10%	0.07	○	○	○	○	The Invention
035	I-6	70%	I-13	30%	0.07	○	○	○	○	The Invention
036	I-6	60%	I-13	40%	0.07	○	△ (Yellow)	○	○	The Invention
037	I-6	50%	I-13	50%	0.07	△	×	×	×	Comparative
038	I-6	40%	I-13	60%	0.07	×	×	×	×	Comparative

Note) \*The developing activity of the reducing agent of formula (R2) is judged as being higher than the developing activity of the reducing agent of formula (R1) when the logarithmic value -Log E<sub>2</sub> (E<sub>2</sub>: Exposing amount to give a concentration of 1.5 to a sample using the reducing agent of formula (R2)) is higher than the logarithmic value -Log E<sub>1</sub> (E<sub>1</sub>: Exposing amount to give a concentration of 1.5 to a sample using the reducing agent of formula (R1)) by 0.02 or larger.

It can be understood from Table A that the samples of the present invention (namely, samples having the reducing agent of the formula (R1) and the reducing agent of the formula (R2) in combination and the coating amount of the reducing agent of the formula (R2) is 40 mol% or less with respect to the total coating amount of the reducing agents) exhibit effects, which are unexpectedly remarkable in terms of tone and tone stability.

As a person skilled in the art to which the present invention pertains, I believe that the results of the present invention indicated above exhibit unexpectedly remarkable results from a technical viewpoint.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE:

August 29, 2007Yasuhiro Yoshioka

Yasuhiro YOSHIOKA